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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,102	06/27/2000	Makoto Kizawa	P19675	5007
7055	7590	08/25/2004	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			ROGERS, SCOTT A	
			ART UNIT	PAPER NUMBER
			2626	
DATE MAILED: 08/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,102

Applicant(s)

KIZAWA, MAKOTO

Examiner

Scott A Rogers

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 20-29 have been considered but are moot in view of the new ground(s) of rejection.

The objection to the abstract is withdrawn in view of the currently amended abstract.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-21 and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujioka (JP 11-301058) in view of Murata (US 5673119) and Wada (JP 09-233248)

Referring to claim 20:

Fujioka discloses a multifunction apparatus comprising: a facsimile communication section (FAX control section 5) configured to conduct a facsimile communication; an interface (printer control section 4) configured to receive PDL data from a host apparatus (host 9); a controller (system control section 1) being configured to obtain image data based on the received PDL data; and a

compressor in the communication section 5 configured to compress image data by a compression method utilized for the facsimile communication. See paragraphs 19, 32, and 39 of the attached machine translation.

While Fujioka discloses a controller (system control section 1) being configured to obtain image data based on the received PDL data, it does not appear that this image data is ever sent to communication section 5 where the compressor therein would otherwise have been configured to compress not only the image data from scanner 2, but also the image data obtained from the PDL data.

However, Murata discloses a controller (PDL processor 1-9) configured to obtain image data based on the received PDL data (col. 7, lines 12-55) and a compressor (encoder 1-6) configured to compress image data obtained from the PDL data by a compression method utilized for the facsimile communication (col. 7, lines 44-48 and col. 4, lines 5-23). Also see col. 1, lines 60-65, and col. 2, lines 4-15 and 45-54). Referring to claim 24, Murata notes that the compression method may be MH (col. 4, lines 13-15).

It would have been obvious to one of ordinary skill in the art to have modified Fujioka to include the feature of sending the image data obtained from the PDL data to the compressor in communication section 5 and compressing that image data for facsimile communication, as taught by Murata, in order to expand, with a simple configuration, the usefulness of Fujioka's system (i.e., the ability to send to a remote fax machine 11, image data corresponding to PDL data received from a host device).

Fujioka also does not appear to disclose a memory configured to store the compressed image data for facsimile communication nor is the system controller configured to predict an amount of the image data compressed by the compression method utilized for the facsimile communication before storing the compressed image data in the memory and judge whether the predicted amount of the compressed image data can be stored in the memory.

However, Wada discloses a memory (hard disk 9) configured to store the compressed image data for facsimile communication and a controller (CPU 1) configured to predict an amount of the image data compressed by the compression method utilized for the facsimile communication before storing the compressed image data in the memory and judge whether the predicted amount of the compressed image data can be stored in the memory. See paragraph 19 of the attached machine translation.

It would have been obvious to one of ordinary skill in the art to have further modified Fujioka, in view of Wada, to adapt memory 7 or provide an additional memory configured to store the compressed image data for facsimile communication and configure the system controller 1 to predict an amount of the image data compressed by the compression method utilized for the facsimile communication before storing the compressed image data in the memory and judge whether the predicted amount of the compressed image data can be stored in the memory. Such a modification would provide improved effectiveness and efficiency in managing facsimile transmissions by alerting the system and/or

operator to the condition of the apparatus and allowing the system and/or operator to cope.

Referring to claim 21:

Wada discloses that the controller displays an error message when the controller judges that the predicted amount of the compressed image data can (or cannot) be stored in the memory. See paragraph 12 of the translation.

It would have been obvious to one of ordinary skill in the art to have further modified the system controller in Fujioka, in view of Wada, to have displayed an error message when the predicted amount of the compressed image data can (or cannot) be stored in the memory in order to further improve an operator's ability to effectively and efficiently manage facsimile transmissions.

Referring to claim 28:

Claim 28 is identical to claim 20 except for the addition of a secret printing function. Fujioka discloses a secret printing function prohibiting image data from being printed until a predetermined password is input. See paragraph 12 and 34 of the translation.

Referring to claim 25-27, and again to claim 28:

With the Fujioka-Murata-Wada combination above, the modified system controller 1 will predict the amount of the image data compressed by the compression method when the received PDL data are not immediately printed, when a plurality of sets of the PDL data are received, when a printing medium is not set in the multifunction apparatus, or when the received PDL data includes the instruction of the secret printing. The modified system controller 1 will predict

the amount of the image data compressed by the compression method under any of these conditions.

Referring to claim 29:

Claim 29 is the method claim having steps corresponding directly to the functions of the elements set forth in apparatus claim 20. The Fujioka-Murata-Wada combination performs the methods steps as set forth above with respect to the functions of the apparatus elements in claim 20.

Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Fujioka-Murata-Wada combination as applied to claims 20-21 above, and further in view of well known prior art.

Referring to claim 22:

In the Fujioka-Murata-Wada combination, the modified system controller 1 does not generate an error message indicating that the received data should be divided into smaller pieces. However, it is well known in the art to split received data into smaller portions in order to deal with storage limitations and processing throughput limitations.

It would have been obvious to one of ordinary skill in the art to have further modified the Fujioka-Murata-Wada combination so the modified system controller 1 generates an error message indicating that the received data should be divided into smaller pieces in order to improve management of data storage.

Referring to claim 23:

In the Fujioka-Murata-Wada combination, the compressor in the communication section 5 is not restricted to using a minimum compression rate when the controller predicts the amount of the compressed image data. However, it is well known in the art to adjust the compression rate based on the predicted amount of the compressed image data and to initially use a minimum compression rate if required for the prediction or to use a minimum compression rate based on the prediction and available memory in order to deal with storage limitations while minimizing degradation of image data resulting from high compression rates.

Other Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ichiriki (US 6040920) discloses PDL to MMR compression data for facsimile transmission (col. 22, lines 35-39). Inui (US 5208676) discloses prediction of a quantity of compressed image data and securing memory space (col. 9, lines 16-56)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2626

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

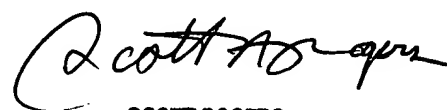
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A Rogers whose telephone number is 703-305-4726. The examiner can normally be reached on Monday-Thursday 6:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 305-4863.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at 703-306-0377. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

18 August 2004



SCOTT ROGERS
PRIMARY EXAMINER